

IN THE SUPREME COURT OF THE STATE OF NEVADA

ADAM SULLIVAN, P.E., NEVADA
STATE ENGINEER, DIVISION OF
WATER RESOURCES, DEPARTMENT
OF CONSERVATION AND NATURAL
RESOURCES,

Appellant,

vs.

LINCOLN COUNTY WATER DISTRICT;
VIDLER WATER COMPANY, INC.;
COYOTE SPRINGS INVESTMENT,
LLC; NEVADA COGENERATION
ASSOCIATES NOS. 1 AND 2; APEX
HOLDING COMPANY, LLC; DRY LAKE
WATER, LLC; GEORGIA-PACIFIC
GYPSUM, LLC; REPUBLIC
ENVIRONMENTAL TECHNOLOGIES,
INC.; SIERRA PACIFIC POWER
COMPANY, D/B/A NV ENERGY;
NEVADA POWER COMPANY, D/B/A
NV ENERGY; THE CHURCH OF
JESUS CHRIST OF LATTER-DAY
SAINTS; MOAPA VALLEY WATER
DISTRICT; WESTERN ELITE
ENVIRONMENTAL, INC.; AND
BEDROC LIMITED, LLC; CITY OF
NORTH LAS VEGAS,

Respondents.

SOUTHERN NEVADA WATER
AUTHORITY,

Appellant,

vs.

LINCOLN COUNTY WATER DISTRICT;
VIDLER WATER COMPANY, INC.;
COYOTE SPRINGS INVESTMENT,
LLC; NEVADA COGENERATION
ASSOCIATES NOS. 1 AND 2; APEX
HOLDING COMPANY, LLC; DRY LAKE
WATER, LLC; GEORGIA-PACIFIC

No. 84739

FILED

OCT 27 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *E. Brown*
DEPUTY CLERK

No. 84741

GYPSUM, LLC; REPUBLIC ENVIRONMENTAL TECHNOLOGIES, INC.; SIERRA PACIFIC POWER COMPANY, D/B/A NV ENERGY; NEVADA POWER COMPANY, D/B/A NV ENERGY; THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS; MOAPA VALLEY WATER DISTRICT; WESTERN ELITE ENVIRONMENTAL, INC.; AND BEDROC LIMITED, LLC; CITY OF NORTH LAS VEGAS,
Respondents.

CENTER FOR BIOLOGICAL DIVERSITY,
Appellants,

vs.

LINCOLN COUNTY WATER DISTRICT; VIDLER WATER COMPANY, INC.; COYOTE SPRINGS INVESTMENT, LLC; NEVADA COGENERATION ASSOCIATES NOS. 1 AND 2; APEX HOLDING COMPANY, LLC; DRY LAKE WATER, LLC; GEORGIA-PACIFIC GYPSUM, LLC; REPUBLIC ENVIRONMENTAL TECHNOLOGIES, INC.; SIERRA PACIFIC POWER COMPANY, D/B/A NV ENERGY; NEVADA POWER COMPANY, D/B/A NV ENERGY; THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS; MOAPA VALLEY WATER DISTRICT; WESTERN ELITE ENVIRONMENTAL, INC.; AND BEDROC LIMITED, LLC; CITY OF NORTH LAS VEGAS,
Respondents.

MUDDY VALLEY IRRIGATION COMPANY,
Appellant,
vs.

No. 84742

No. 84809

LINCOLN COUNTY WATER DISTRICT;
VIDLER WATER COMPANY, INC.;
COYOTE SPRINGS INVESTMENT,
LLC; NEVADA COGENERATION
ASSOCIATES NOS. 1 AND 2; APEX
HOLDING COMPANY, LLC; DRY LAKE
WATER, LLC; GEORGIA-PACIFIC
GYPSUM, LLC; REPUBLIC
ENVIRONMENTAL TECHNOLOGIES,
INC.; SIERRA PACIFIC POWER
COMPANY, D/B/A NV ENERGY;
NEVADA POWER COMPANY, D/B/A
NV ENERGY; THE CHURCH OF
JESUS CHRIST OF LATTER-DAY
SAINTS; MOAPA VALLEY WATER
DISTRICT; WESTERN ELITE
ENVIRONMENTAL, INC.; AND
BEDROC LIMITED, LLC; CITY OF
NORTH LAS VEGAS,
Respondents.

ORDER CLARIFYING BRIEFING SCHEDULE

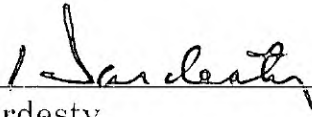
On October 14, 2022, this court entered an order that modified the caption and set the briefing schedule in these consolidated appeals. Because counsel for some appellants were inadvertently omitted from the order's cc list, this court resent the order on October 19, 2022. The parties were given five days to file any objection to the briefing schedule. Appellant Southern Nevada Water Authority (SNWA) filed a partial objection, and appellants Center for Biological Diversity (Center) and Muddy Valley Irrigation Company (MVIC) filed partial joinders to the objection. No other objections were filed. Having reviewed the objection and joinders, we clarify the briefing as to SNWA, Center, and MVIC.

We clarify that part B of the due process issues identified in the October 14, 2022, order (whether the hearing provided by the State Engineer satisfied due process and afforded respondents a full and complete opportunity to address the implications of the State Engineer's decision to subject the LWRFS to conjunctive management and joint administration) shall also include whether the State Engineer's conflicts determination in Order 1309 violated the due process interests of SNWA, Center, and MVIC. SNWA, Center, and MVIC may each, within 30 days from service of the opening brief, file and serve separate answering briefs addressing any argument the State Engineer may raise in relation to this specific issue. Any such answering brief shall not exceed 15 pages or 7,000 words. Appellants shall still be required to file a single joint reply brief that does not exceed 45 pages or 21,000 words and responds to the arguments in all answering briefs. Recognizing that SNWA, Center, and MVIC may not agree with all assertions in the joint opening brief or reply brief, we clarify that SNWA, Center, and MVIC may each include footnote citation(s) in those joint briefs identifying the portions of those briefs they do not agree with. We further clarify that where such a notation is made in the joint briefs, SNWA, Center, and MVIC will not be construed to have waived any contrary argument on appeal.

Finally, in light of a State network outage that caused a delay in service of the order setting the briefing schedule, we clarify that the parties shall have until November 8, 2022, to file the joint appendix and appellants shall have until December 8, 2022, to file and serve the joint opening brief. All other briefing deadlines shall remain as set forth in the October 14, 2022, briefing order, as clarified by this order. We reiterate that this court will not look favorably on any request for an extension of time.

No telephonic extensions will be granted and any other request for an extension of time must be requested by written motion demonstrating extraordinary and compelling circumstances and supported by affidavit.

It is so ORDERED.


_____, J.
Hardesty


_____, J.
Stiglich


_____, J.
Herndon

cc: Attorney General/Carson City
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Wingfield Nevada Group
Attorney General/Las Vegas
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